

**Wittels
McInturff
Palikovic**

March 12, 2024

Via ECF

Honorable Gregory H. Woods
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

USDC SDNY
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MEMORANDUM ENDORSED

Re: *Franck, et al. v. New York Health Care Inc. at al.*, Case No. 21 Civ. 4955 (GHW) (JLC)

Dear Judge Woods:

On behalf of Plaintiffs and the proposed Class, we write with Defendants' consent to request an enlargement of the page limit on Plaintiffs' forthcoming memorandum of law in support of their unopposed motion for preliminary approval of the parties' proposed class and collective action settlement.

In accordance with Your Honor's Rule 3.A, Plaintiffs respectfully request that they be permitted to file a brief that is up to 35 pages. The additional pages are needed to fully describe the proposed settlement's terms, the negotiation process leading to the settlement, the payment allocation plan, and the notice plan, as well as to demonstrate that the settlement meets the fairness criteria under Fed. R. Civ. P 23(e), *City of Detroit v. Grinnell Corp.*, 495 F.2d 448 (2d Cir. 1974), and *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), that the proposed settlement class satisfies the criteria for certification, and that the notice plan exceeds the applicable requirements.

Thank you for the Court's consideration of this request.

Respectfully submitted,

/s/ J. Burkett McInturff


J. Burkett McInturff

cc: *All counsel of record (via ECF)*

Application granted. Plaintiffs' brief described above may be up to 35 pages in length. The parties are reminded that they must also file one or more affidavits containing all facts that they wish for the Court to consider in connection with its review of the application—including facts related to the negotiation process, and any facts pertaining to the adequacy of the notice process. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 229.

SO ORDERED.

Dated: March 12, 2024
New York, New York


GREGORY H. WOODS
United States District Judge